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# **Supreme Court of the United States**

**October Term 1940**

**No. 26**

**WEST INDIA OIL COMPANY (PUERTO RICO),**  
*Petitioner,*

*vs.*

**RAFAEL SANCHO BONET, Treasurer of Puerto Rico,**  
*Respondent.*

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**PETITIONER'S MOTION TO SUBSTITUTE  
MANUEL V. DOMENECH, TREASURER OF  
PUERTO RICO FOR RESPONDENT, RAFAEL  
SANCHO BONET, FORMER TREASURER.**

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**JAMES R. BEVERLEY,**  
*Attorney for Petitioner.*

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*vs.*

RAFAEL SANCHO BONET, Treasurer of Puerto Rico,  
*Respondent.*

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**MOTION OF PETITIONER TO SUBSTITUTE  
MANUEL V. DOMENECH AS RESPONDENT  
IN PLACE OF RAFAEL SANCHO BONET.**

*To the Honorable, The Chief Justice and the Associate  
Justices of the Supreme Court of the United States:*

The motion of Petitioner, West India Oil Company (Puerto Rico) made through its undersigned attorney shows the Court:

1. That this declaratory judgment suit was brought in the District Court for the Judicial District of San Juan, Puerto Rico, against respondent Rafael Sancho Bonet in his official capacity only, as Treasurer of Puerto Rico.

2. That subsequent to the granting of certiorari by this Court in this case, to wit on May 17, 1940, the said respon-

dent Rafael Sancho Bonet ceased in the office of Treasurer of Puerto Rico.

3. That thereafter and on the 18th day of May 1940, Manuel V. Domenech was duly appointed Treasurer of Puerto Rico and qualified as such and has been acting as such since the said 18th day of May 1940.

4. Petitioner avers that the said Manuel V. Domenech as Treasurer of Puerto Rico has adopted the action of his predecessor in office in attempting to collect from Petitioner the taxes complained of in the Amended Petition or Bill of Complaint herein; that there is a substantial need for the continuance of this proceeding until judgment by this Court, in that exactly the same controversy exists between Petitioner and Manuel V. Domenech the present Treasurer of Puerto Rico as existed between Petitioner and Rafael Sancho Bonet, former Treasurer; and that the ends of justice will be best served by continuing the present case to final determination by this Court.

WHEREFORE Petitioner respectfully moves under Rule 19 of this Court and in accordance with Section 11 of the Act of Congress of February 13, 1925 (43 Stat. 941; 28 U. S. C. A. 780), that the Court order the substitution of Manuel V. Domenech, Treasurer of Puerto Rico, for Rafael Sancho Bonet, former Treasurer of Puerto Rico, as Respondent herein and that the cause be permitted to thus proceed to hearing and judgment.

San Juan, Puerto Rico, September 4, 1940.

JAMES R. BEVERLEY,  
*Attorney for Petitioner, West*  
*India Oil Company (Puerto Rico)*

I certify that on September 9, 1940, three copies of the above motion were deposited in the United States Mail at New York, N. Y. addressed to William C. Rigby, Esq., attorney for the Treasurer of Puerto Rico, Southern Building, Washington, D. C., with the proper amount of postage affixed.

JAMES R. BEVERLEY,  
*Attorney for Petitioner.*